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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,111	11/21/2001	Salil V. Pradhan	1509-245	1301
22429	7590	04/20/2006	EXAMINER	
LOWE HAUPTMAN GILMAN AND BERNER, LLP			DELGADO, MICHAEL A	
1700 DIAGONAL ROAD			ART UNIT	
SUITE 300 /310			PAPER NUMBER	
ALEXANDRIA, VA 22314			2144	

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/989,111	<b>Applicant(s)</b> PRADHAN ET AL.	
	<b>Examiner</b> Michael S. A. Delgado	<b>Art Unit</b> 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-14,16-20,22 and 24-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 5-14, 16-20 22 and 24-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## Non Final Office Action

### Response to Arguments

1. Applicant's arguments include the failure of previously applied art to expressly disclose aggregating feature. See Response, filed on 1/20/2006, page 8, lines 11-25. It is evident from the detailed mappings found in the above rejection(s) that Nanja et al. disclosed this functionality (Para 18, lines 1-14). Further, it is clear from the numerous teachings (previously and currently cited) that the provision for aggregating data, was widely implemented in the networking art. Thus, Applicant's arguments drawn toward distinction of the claimed invention and the prior art teachings on this point are not considered persuasive.

2.

### *Claim Rejections - 35 USC § 112*

1. Claims 18-35 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a connection that support communication between network elements, does not reasonably provide enablement for "coupling". The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to use the invention commensurate in scope with these claims. The term "coupling" was not defined in the specification and its implementation as to the network art is not clear.

### *Claim Rejections - 35 USC § 103*

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 5-14, 16-20 22 and 24-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2003/0165128 by Sisodia et al in view of US 2002/0107830 by Nanja.

In claim 1, Sisodia teaches about a method of generating a dynamically updated web page through use of first “portable device” and second network elements “remote computer” communicating over a short range wireless network “Bluetooth” comprising the steps of (Para 8, lines 11-23) (Para 21, lines 17-22) (Para 11, lines 15-30):

(i) passing a first data set including web page data from the first network element to the second network element over the short range wireless network via a wireless network connection (via wireless access point) (Para 8, lines 11-23) (Para 33, lines 1-15) (Para 41, lines 1-12);

(ii) passing a second data set including web page data from the second network element to the first network element over the short range wireless network via a wireless network connection (via wireless access point) (Para 8, lines 11-23) (Para 33, lines 1-15) (Para 41, lines 1-12); and

but does explicitly teach about aggregating the first and second data sets to form a web page that is dynamically updated to represent the information included in the first and second data sets (Para 33, lines 1-15) (Para 41, lines 1-12).

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Sisodia teaches about the different possible use of a wireless device, which includes accessing the world wide web (Para 21, lines 16-29). US 2002/0107830 by Nanja teaches about an improve way of accessing the world wide web using a wireless device using a web data aggregator application (Para 5, line 1- Para 7, lines 2) (Para 15, lines 1-9). Nanja teaches the cost effective approach by using an aggregator, which reduces the number of costly connections that is associated with the method of Sisodia invention (Para 18, lines 1-13).

It would have been obvious at the time of the invention for some one of ordinary skill to improve on Sisodia invention by incorporating the cost effective method of Nanja invention in order to allow more information to be display in less time at a lower cost when accessing the world wide web while using a wireless device.

In claim 3, Sisodia combined with Nanja, teaches about a method of claim 1 further including the steps of polling by at least the first network element in order to ascertain if there is a network element within network connection range and allowing said network element to connect to the network and contribute information to the networked information resource as it connects to the network (Sisodia Para 31, lines 12-18) (Sisodia Para 37, lines 1-12). (The polling feature is a part of the bluetooth specification)

In claim 5, Sisodia combined with Nanja, teaches about a method of claim 1 further comprising storing a script “software applet” for a web page on at least one of the network elements (Sisodia Para 33, lines 1-16).

In claim 6, Sisodia combined with Nanja, teaches about a method of either of claim i further comprising the step of accessing the web page via a graphical user interface “browser” (Sisodia Para 33, lines 1-16).

In claim 7, Sisodia combined with Nanja, teaches about a method of claim 1 further comprising the step of routing the passage of data between the first and second network elements through the third network element “access point” (Sisodia Para 41, lines 1-13).

In claim 8, Sisodia combined with Nanja, teaches about a method of claim 7 further comprising accessing the networked information resource via the third network element, which forms an access point (Sisodia Para 41, lines 1-13).

In claim 9, Sisodia combined with Nanja, teaches about a method of claim 1, further comprising providing a server (Fig 1, 111) in the form of any one of the network elements (Sisodia Para 19, lines 11-15).

In claim 10, Sisodia combined with Nanja, teaches about a method of claim 1 further comprising restricting access to some or all of the data stored on any one of the network elements by any other of the network elements (Sisodia Para 46, lines 1-7).

In claim 11, Sisodia combined with Nanja, teaches about a method of claim 1, further comprising the step of broadcasting a network address associated with the web page from a beacon at a first location (Fig 1, 111) (Sisodia Para 21, lines 16-29) (Sisodia Para 45, lines 1-8). (IEEE 802.11 b requires a system identification number (SID) which is the broadcast beacon).

In claim 12, Sisodia combined with Nanja, teaches about a method of claim 10, wherein the network address is in the form of a URL (Sisodia Para 11, lines 25-35) (Sisodia Para 21, lines 17-22) .

In claim 13, Sisodia combined with Nanja, teaches about a method of claim 1 further comprising the step of broadcasting the network address via a second beacon at a second location (Fig 1, 125), the second location having an access point connected to the network address (Sisodia Para 20, lines 1-6).

In claim 14, Sisodia combined with Nanja, teaches about a method of claim 1 wherein at least one of the first and second network elements in the form of a mobile telecommunications device (Sisodia Para 17, lines 1-11).

In claim 16, Sisodia combined with Nanja, teaches about a method of claim 1 wherein at least one of the first and second network elements include a long range, typically cellular, transceiver therein (Sisodia Para 11, lines 7-17).

In claim 17, Sisodia combined with Nanja, teaches about a method of claim 15, further comprising the step of accessing the networked information resource via a cellular transceiver associated with another network element (Sisodia Para 20, lines 1-12).

Claim 18 is the system for the method of claim 1 and is rejected in the same way.

In claim 19, Sisodia combined with Nanja, teaches about a system of claim 18 wherein the at least first network element, is arranged to provide information to the networked information

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resource via at least one of the wireless network connections (Sisodia Para 41, lines 1-13) (Sisodia Para 43, lines 1-5).

In claim 20, Sisodia combined with Nanja, teaches about a system of claim 19, wherein the information is provided in response to a request from the at least second network element (Sisodia Para 41, lines 1-13) (Sisodia Para 43, lines 1-5). (In file sharing action of requesting and responding have to occur for it to be possible)

In claim 22, Sisodia combined with Nanja, teaches about a system of claim 18, wherein at least one of the first and second network elements is mobile telecommunications device (Sisodia Para 17, lines 1-11).

In claim 24, Sisodia combined with Nanja, teaches about a system of claim 18, wherein at least one of the wireless network connections is either an infra-red or a radio-frequency connection (Sisodia Para 31, lines 12-19).

In claim 25, Sisodia combined with Nanja, teaches about a system of claim 18 wherein further including a third network element "access point" (Sisodia Para 41, lines 1-13).

In claim 26, Sisodia combined with Nanja, teaches about a system of claim 25 wherein the third network element includes a transceiver (Fig 3, 330).

In claim 27, Sisodia combined with Nanja, teaches about a system of claim 25 wherein the third network element is arranged to mediate the passage of the information between the first and second network elements (Sisodia Para 41, lines 1-13).



In claim 28, Sisodia combined with Nanja, teaches about a system of claim 18 further including a server (Fig 1, 111).

In claim 29, Sisodia combined with Nanja, teaches about a system of claim 28, wherein at least one of the network elements acts as the server (Sisodia Para 17, lines 1-15). (Access point acts the role of a server and a client when in operation)

In claim 30, Sisodia combined with Nanja, teaches about a system of claim 28 wherein the server is arranged to store a script for the web page (Sisodia Para 33, lines 9-16).

In claim 31, Sisodia combined with Nanja, teaches about a system of claim 18 further including a beacon for broadcastings a network address associated with the networked information resource at a first location (Sisodia Para 45, lines 1-8). (IEEE 802.11 b requires a system identification number (SID) which is the broadcast beacon).

In claim 32, Sisodia combined with Nanja, teaches about a system of claim 18 further including an access point from which the networked information resource can be accessed (Sisodia Para 19, lines 11-15).

In claim 33, Sisodia combined with Nanja, teaches about a system of claim 32 wherein the system comprises a server (Fig 1, 111) and wherein the access point (Fig 1, 101) is arranged to couple a signal including web page data to the server (Sisodia Para 18, lines 1-15) .

In claim 34, Sisodia combined with Nanja, teaches about a system of claim 32 wherein a second beacon is arranged to broadcast the network address at a second location and a second access point is arranged to couple a signal including web page data to the network address corresponding to the networked information resource (Sisodia Para 20, lines 1-7) (Sisodia Para 21, lines 17-23) .

In claim 35, Sisodia combined with Nanja, teaches about a system of claim 18 further including an access filter, for restricting access to data stored on any one of the network elements by any other of the network elements (Sisodia Para 46, lines 1-7).

### ***Conclusion***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2001/0055950 by Davis et al, teaches about a data delivery through portable devices.

US 6,779,153 by Kagle, teaches about a creation of web pages through synchronization.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571) 272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

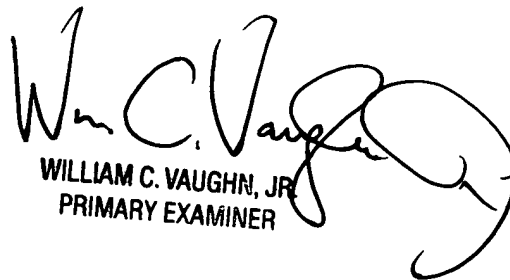
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn Jr. can be reached on (571)272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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PRIMARY EXAMINER